

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROBERT DEREK LURCH

Plaintiff

Hon. Philip M. Halpern

-against-

No.: 20-CV-2312 (PMH)

MARGARET BERRY, R.N.

Defendant.
-----X

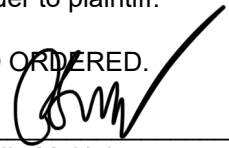
PLEASE TAKE NOTICE that Defendant MARGARET BERRY, R.N. will move this Court before the Hon. Phillip M. Halpern, United States District Judge at the United States Courthouse, Daniel Patrick Moynihan United States Courthouse 500 Pearl St. New York, NY 10007-1312 on the 24th day of September 2020, for an order granting summary judgment dismissing the Amended Complaint asserted against Defendant in accordance with Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1 of the Southern District Local Civil Rules upon the statement pursuant to Local Rule 56.1, the annexed exhibits and declarations, and upon Defendants' Memorandum of Law in Support of Summary Judgment, and upon all prior pleadings, proceedings, decisions, and orders of the Court.

A copy of the Southern District of New York's "**Notification of the Consequences of Failing to Respond to a Summary Judgment Motion**" is appended to this Notice of Motion to which your attention is directed.

Dated: White Plains New York
September 22, 2020

Motion (Doc. 39) denied without prejudice to re-filing in compliance with the Court's Individual Practices and the Local Civil Rules of the Southern District of New York, in particular Local Civil Rule 7.1(a)(3). Should they be so advised, Defendant is directed to re-file and serve their motion on or before 10/30/2020. Plaintiff shall file and serve his opposition, if any, on or before November 30, 2020. Defendants shall file and serve their reply, if any, on or before December 11, 2020. The Office of the Attorney General is directed to deliver a copy of this Order to plaintiff.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: New York, New York
September 25, 2020